## Exhibit 29

## In The Matter Of:

Darcy Corbitt, Destiny Clark, and Jane Doe v. Hal Taylor, etc., et al.

Darcy Corbitt
November 21, 2018

Baker Realtime Worldwide Court Reporting & Video
250 Commerce Street
Third Floor, Suite One
Montgomery, Alabama 36104
www.BakerRealtime.com

Original File 11-9-18 Darcy Corbitt.txt

Min-U-Script® with Word Index

		1
1	IN THE UNITED STATES DISTRICT COURT	
2	FOR THE MIDDLE DISTRICT OF ALABAMA	
3	NORTHERN DIVISION	
4		
5	CIVIL ACTION NO.: 2:18-CV-00091-MHT-GMB	
6		
7	DARCY CORBITT, DESTINY CLARK, and JANE DOE,	
8	Plaintiffs,	
9	v.	
10	HAL TAYLOR, in his official capacity as	
11	Secretary of the Alabama Law Enforcement	
12	Agency, et al.	
13	Defendants.	
14		
15	DEPOSITION OF DARCY CORBITT	
16	November 9, 2018	
17		
18	Taken before Elaine Scott, CCR,	
19	Commissioner for the State of Alabama at	
20	Large, in the Law Offices of the Alabama	
21	Attorney General, 501 Washington Avenue,	
22	Montgomery, Alabama, on Thursday, November 9,	
23	2018, commencing at approximately 8:57 a.m.	

		2
1	APPEARANCES	
2		
3	FOR THE PLAINTIFFS:	
4	AMERICAN CIVIL LIBERTIES UNION FOUNDATION	
5	Gabriel Arkles	
6	125 Broad Street	
7	18th Floor	
8	New York, New York 10004	
9		
10	ALABAMA CIVIL LIBERTIES UNION FOUNDATION	
11	Brock Boone	
12	Randall C. Marshall	
13	P.O. Box 6179	
14	Montgomery, Alabama 36106	
15		
16	FOR THE DEFENDANTS:	
17	OFFICE OF THE ATTORNEY GENERAL, STATE OF	
18	ALABAMA	
19	Brad A. Chynoweth	
20	501 Washington Avenue	
21	Montgomery, Alabama 36130	
22		
23		

APPEARANCES (continued) ALSO PRESENT: Meredith Barnes COURT REPORTER: BAKER REALTIME WORLDWIDE REPORTING & VIDEO Elaine Scott 250 Commerce Street Third Floor, Suite One Montgomery, Alabama 36104 

r			
			8
1	А.	My name is Darcy Jeda Corbitt Hall.	
2	Q.	And when what's your birthday?	
3	Α.	11th of May 1992.	
4	Q.	Okay. And that makes you how old	
5	now?		
6	А.	26.	
7	Q.	Where were you born?	
8	А.	Baton Rouge, Louisiana.	
9		(Defendant's Exhibit Number 9 was	
10		marked for identification. A copy	
11		is attached.)	
12	Q.	I'm presenting to you Defendant's	
13	Exhibit 9.	Can you state what this is?	
14	А.	This is my birth certificate.	
15	Q.	And what is the name on your birth	
16	certificate	e?	
17	Α.		
18	Q.	And what is the sex on this birth	
19	certificate	e?	
20	А.	Male.	
21	Q.	So you were assigned male sex at	
22	birth?		
23	А.	That is correct.	

ſ		
		11
1	University where I continued my bachelor's	
2	work.	
3	Q. So you got an associate's degree at	
4	Southern Union?	
5	A. I did.	
6	Q. And in August of 2012 you started	
7	at Auburn University?	
8	A. That is correct.	
9	Q. What were you studying?	
10	A. I was studying a double major in	
11	English literature and psychology.	
12	Q. How long did those studies	
13	continue?	
14	A. Until 2015.	
15	Q. And did you complete your	
16	bachelor's at that time?	
17	A. I did.	
18	Q. In spring of 2015?	
19	A. May of 2015.	
20	Q. And what did you do after you	
21	graduated in May of 2015?	
22	A. I moved to Fargo, North Dakota,	
23	where I started doctoral work in clinical	

		12
1	psychology.	
2	Q. And that would have been in the	
3	fall of 2015?	
4	A. That is correct.	
5	Q. Where were you in school?	
6	A. North Dakota State University.	
7	Q. How long I'm sorry. What were	
8	you studying there?	
9	A. Clinical psychology.	
10	Q. And was that a master's or a Ph.D.	
11	program?	
12	A. It was a nonterminal master's	
13	transitioning to Ph.D.	
14	Q. And how long did you study at North	
15	Dakota State?	
16	A. I studied until August 2017, I	
17	believe.	
18	Q. And you said that was a nonterminal	
19	degree, so what was the completion of that	
20	course of studies?	
21	A. I did not complete those studies.	
22	Q. And what did you do after August of	
23	2017?	

13 1 My doctoral advisor got a job at Α. 2 Auburn and invited me to join her at Auburn to 3 work as her project student there and to 4 manage a grant-funded project that we had --5 would be starting in August. And so I 6 accepted her offer and moved back to Auburn. So you relocated to Auburn. 7 Would 0. 8 that have been August or maybe a little later? 9 Α. It was August. 10 August of 2017. And were you Q. enrolled in Auburn at that time or you were 11 just working for this professor? 12 13 I was enrolled at Auburn. 14 And what was your degree? 0. 15 My current degree is doctoral program in human development and family 16 17 studies also known as developmental 18 psychology. 19 And are you currently enrolled in 20 pursuing the same degree at Auburn? 21 Α. I am. 22 Have you completed all of your 0. 23 course work?

17 1 don't have that luxury. You apply where there 2 is an open position. 3 And so when you have completed your 4 Ph.D., do you anticipate applying to a variety 5 of universities that have open positions? 6 Α. I do. And those will be tailored somewhat 7 8 to what your specialty is in developmental 9 psychology? 10 As far as I can. And do you anticipate a significant 11 Q. number of those job openings being out of 12 13 state? 14 Α. I'm unable to speculate about the nature of the academic job market in five or 15 six years, but I can say that Auburn 16 17 University is the third highest ranked program 18 in the country and has the research interest 19 that I am involved in. 20 But you would apply based on any 21 acceptable position regardless of geographical 22 location of the university? 23 That is true. Α.

		19
1	A. That's fine.	
2	Q. Your sex designation on your	
3	license that you obtained when you were	
4	sixteen was M?	
5	A. That is correct.	
6	Q. And you possessed an Alabama	
7	driver's license from the time you were	
8	sixteen until when?	
9	A. Sometime in 2015 in the fall.	
10	Q. And that would have been when you	
11	moved to North Dakota?	
12	A. That is correct.	
13	Q. And you obtained a North Dakota	
14	driver's license at that time?	
15	A. I did.	
16	Q. And what was the sex designation on	
17	that driver's license?	
18	A. Male.	
19	Q. Did you ever have the sex on your	
20	North Dakota license changed?	
21	A. I did.	
22	Q. When was that?	
23	A. I'm not sure of the date. It was	

		21
1	Q. Do you have a United States	
2	passport?	
3	A. I do.	
4	Q. When did you obtain that?	
5	A. In January of 2017.	
6	Q. And you were living in North Dakota	
7	at that time?	
8	A. I was.	
9	Q. What is the sex designation on your	
10	U.S. passport?	
11	A. Female.	
12	Q. And when you returned to Alabama in	
13	August 2017, did you obtain an Auburn	
14	University student ID?	
15	A. I did.	
16	(Defendant's Exhibit Number 11 was	
17	marked for identification. A copy	
18	is attached.)	
19	Q. This is Defendant's Exhibit 11.	
20	Can you tell me what that is?	
21	A. This is my Auburn University ID.	
22	Q. So do you currently still hold your	
23	North Dakota driver's license that is Exhibit	

22 1 10? 2 I do hold that. Α. 3 You still hold a current valid 4 United States passport? 5 Α. I do. 6 0. And is Exhibit 11 a student ID that 7 you currently hold? 8 I do not hold this specific ID any 9 I have a new version of it, same 10 information, different picture, issued a month 11 ago. So your 2018 Auburn University 12 Q. 13 student ID is substantially the same in that 14 it has your name and photograph and it 15 identifies you as a student? 16 That is correct. Α. 17 Can you tell me when you first 0. identified as a woman? 18 19 My earliest memory is of me 20 identifying as a woman and finding out that 21 that identification was not consistent with 22 how other people saw me. 23 Do you recall approximately what

23 1 year that would have been? 2 I don't know the year. I believe I 3 was between the ages of three or four. 4 And what is your current gender 5 identity? 6 Α. I am a woman. 7 Would it be fair to say that --8 strike that. Do you identify yourself as a 9 transgender woman? 10 Yes. Α. 11 Q. Can you explain what transgender 12 means to you? 13 It means that the way that I 14 understand my gender and my sex is different 15 than that which is listed on my birth 16 certificate. 17 Q. Would it be fair to say that the 18 process of you understanding yourself to be a 19 transgender woman was a transition or involved 20 a transition? 21 I would say that it is fair that Α. 22 all human beings undergo some form of 23 transition in their life where they understand

24 1 who they are. 2 And in your case one aspect of that 3 transition was becoming aware of your identity 4 as a transgender woman? 5 I wouldn't say that I became aware Α. 6 that I was a transgender woman. I would say 7 that I became aware that there was a term that 8 existed to explain how I felt and that there 9 was a future for me and the life I thought was 10 best for me. 11 Do you recall around what age that Q. 12 was when you had that awareness? 13 Α. Twenty. 14 (Defendant's Exhibit Number 12 was marked for identification. A copy 15 is attached.) 16 17 I am going to place into the record 0. 18 Defendant's Exhibit 12. What is this 19 document? 20 This is my legal name change Α. 21 document. 22 And is the date on that July 22nd, Q. 23 2013?

25

A. That is correct.

1

2

3

4

5

6

7

8

9

10

11

12

13

14

15

16

17

18

19

20

21

22

23

Q. Can you explain to me the significance of legally changing your name in this process of transition that we've been talking about?

Α. Of course. I had started living as Darcy full-time on May 11th, 2013, and part of the process for me was making sure that my identification correctly reflected who I was and who I knew myself to be and who my friends knew me to be. And so I went and changed my name at the courthouse, and it was a very scary experience. I did not think that it would be easy. I felt that they would discriminate against me when I told them the They did look at me funny, but they reason. did issue the name change. And it made me feel -- it made me feel -- it made me feel somewhat normal for the first time in my life to have, you know, a legal identity that was closer to who I was as a person.

Q. Can you explain what you mean when you said it was a scary experience to go to

28 1 questions about a transitional process, 2 correct? 3 That is correct. Α. 4 Would it be accurate to say that 5 that transitional process was complete on May 6 11th, 2013? 7 I would say that that process had 8 begun on May 11th, 2013. 9 On May 11th, 2013, I believe the 10 way you put it was you began living as Darcy? 11 Full-time. 12 And prior to that, how had you been Q. living that was different? 13 14 My name was different. I didn't 15 expect people to use Darcy as my name. didn't expect people to use my gender 16 17 pronouns. I had been dressing as a woman 18 since approximately June or July 2011, but I 19 had not been consistently asking people to 20 treat me as a woman because at the time I 21 still was uncertain about what gender identity 22 I didn't really have a concept of it. was. 23 Once I did have a concept of it, the process

		30	
1	Can you state whether you have been diagnosed		
2	with gender dysphoria disorder?		
3	A. I have.		
4	Q. Can you tell me when that was?		
5	A. I'm unable to provide you with the		
6	date of that.		
7	Q. Do you know a year?		
8	A. Possibly in 2013.		
9	Q. Do you recall the name of the		
10	doctor or the psychologist that made the		
11	diagnosis?		
12	A. Ann Marie Delsignore.		
13	Q. So was that here in Alabama?		
14	A. Yes.		
15	Q. Can you spell the name for me?		
16	A. Ann Marie, A-N-N M-A-R-I-E		
17	D-E-L-S-I-G-N-O-R-E.		
18	Q. And what is her what is the		
19	nature of her medical training?		
20	A. She is a I think she's finished		
21	with her Ph.D. in counseling psychology. She		
22	was working at the counseling center at Auburn		
23	University.		

36 1 Q. Okay. 2 Α. Okay. 3 Fair enough. I will be referring Q. 4 to the paragraphs, the numbered paragraphs, as 5 opposed to the numbers at the bottom. 6 Α. Okay. 7 And do you see in paragraph four 8 where it says the plaintiffs Ms. Darcy 9 Corbitt, Ms. Destiny Clark, and Ms. Jane Doe 10 have all been personally harmed by this policy? Do you see where it says that in 11 12 paragraph four? 13 I do see that. 14 And do you understand that this policy refers to the policy for when you can 15 16 change the sex on your driver's license in 17 Alabama? 18 Α. I do. 19 Can you explain to me in your own 20 words how this policy has harmed you? 21 Of course. From an emotional Α. 22 standpoint it has caused very deep emotional 23 Being publicly humiliated by ALEA harm.

therapy.

officials in the driver's license office in a very public way when there were other people present was very, very emotionally disturbing to me. The subsequent stress over this lawsuit and what the outcome will be and what that means for my future as both a person living in Alabama as well as a person just living in general has caused me loss of hours at work, loss of sleep, increased visits to the doctor's office, and the need to resume

rom a practical standpoint it is very difficult for me to navigate the world not having a driver's license in the state where I live. I work in public elementary schools, and I have to produce a driver's license in order to access those schools, and I'm currently having to use a North Dakota license. And at the time in which I will have to have an Alabama license if it does not accurately define my status it will out me to my employers and it will out me to the schools where I work. And the schools are mostly in

38 1 rural areas and will not take kindly to a 2 transperson working with their students. 3 It also from a philosophical 4 perspective is incredibly insulting to be 5 treated differently than other people in my 6 state, and it is also insulting that had I 7 gone to any other state and applied for a 8 driver's license with the documentation that I 9 have I would have been given a driver's 10 license that said female, and the only reason I have a driver's license that says male in 11 12 this state is because I was previously licensed here. 13 14 With what schools do you work? 15 I'm not able to provide an answer to that question. 16 17 Do you work in schools in 18 connection with your graduate studies? 19 Α. I do. 20 And this is as a student teacher or 21 intern or in what capacity? 22 I'm the program manager for a Α. 23 federally funded antibullying program.

41 1 of the amended complaint? 2 (Witness complies.) Α. 3 Can you tell me what you recall Q. 4 about the basis of the allegations in 5 paragraph 69? That would be your August 2017 6 visit to Lee County driver's license to obtain 7 an Alabama license. Can you tell me what you 8 recall about that event? 9 Are you asking for a narrative of 10 what happened at that -- on that occasion? I'm -- did you attempt -- did 11 0. Yes. you visit a Lee County Driver's License Office 12 13 in August 2017? 14 Α. I did. Did you do so in order to transfer 15 your North Dakota driver's license to an 16 17 Alabama driver's license? 18 I did do so. Α. 19 Can you tell me what you recall 20 about your interaction there? 21 I entered the office. Α. Yes. I was 22 seen almost immediately, which was a 23 relatively normal experience for me at that

42 1 office. And the clerk was very friendly. 2 chatted. She said, oh, you lived in North 3 I said yeah. We did the normal Dakota. banter about it being really cold there. 4 She 5 asked me why I moved back to Alabama. I told 6 her. Or why I had moved to Alabama, and I 7 told her because I hadn't told her I had lived 8 in Alabama before. 9 She asked if I had ever been 10 licensed in Alabama before. I said yes, provided her with my Social Security number. 11 12 To this point she was very friendly and 13 courteous to me. It was normal interaction. 14 And she got really quiet after she looked me 15 She didn't look at me. She didn't talk I tried to make conversation and she 16 to me. 17 was very brisk with me. 18 She took my picture. And then 19 she -- I think she asked me if my weight had 20 changed, and it had. Nothing else -- well, my 21 address had changed. I updated that. And 22 then she printed out a little receipt that 23 said all the information on it and was like

43 1 can you verify that all this is accurate. 2 I noticed the sex designation was M, and I 3 said -- I circled it and said this is not 4 accurate. 5 And she said I know, and I never 6 would have known if I hadn't seen your 7 driver's license. And I said, well, that's 8 not accurate. It needs to be updated. She 9 said I am not able to update that for you. 10 And I said, well, I need you to find out how you can update it because it is inconsistent 11 with the other documentation that I have and 12 the other forms of identification that I have 13 14 and I don't need an inconsistency in identifying documents. 15 And so she called her supervisor 16 17 And her supervisor would not look at me 18 either and was very disinterested and said you 19 just need to call Montgomery and find out. 20 she called Montgomery. And when she was on the phone with the person in Montgomery --21 22 I'm sorry. Let me stop you there. 0. 23 When you said she called Montgomery, are you

44 1 referring to the supervisor or the clerk? 2 The supervisor walked Α. The clerk. 3 away. And so the examiner called and 4 5 spoke to someone in Montgomery? 6 Α. Yes. And I do not know who that 7 person is. 8 And then what happened? Q. 9 Α. She was explaining the situation, 10 and she said he is sitting here, he has a North Dakota license that says female, but his 11 12 Alabama license says male and he wants to 13 change it and, no, he does not have a note 14 from a doctor. And all this -- before all of this 15 had happened she was referring to me as she. 16 17 She was treating me like a woman, but when she 18 saw my driver's license from Alabama she 19 started treating me like I was a man. She did 20 so very loudly. 21 It is an open room like this one. 22 There was someone to the right of me and to 23 The person to the right of me the left of me.

45

1 was a woman and she looked at me very 2 pityingly. The people on the left were two 3 men, and they looked at me with disgust. 4 There was also a state trooper present who 5 looked at me and I was afraid of the way that 6 she was looking at me. I didn't know what it 7 meant. 8 I felt very afraid. I did not know 9 if I was going to be safe. I was also in a situation where I didn't know how much the 10 person in front of me could help me and so I 11 12 wasn't able to advocate for myself or defend 13 myself or correct her. And I had to endure 14 her insulting and detrimental behavior because 15 I didn't know if she would help me or not. And this went on for about ten 16 17 minutes. At one point she said it is sitting 18 here or something like that. She referred to 19 me as it, as an object. And then while she 20 was on hold she looked at me, and she said I 21 guess I should be saying she, huh. And to 22 this point I was being really magnanimous. I 23 felt like, well, she just doesn't know, but

that what she was doing was offensive and then proceeded to continue to call me he was -- and naturally that's when she said it was after she acknowledged she should say she. Then she said it and then she went back to he. Never once apologized for any of that behavior.

And she told me that I would need to either get an amended birth certificate from the state where I was born or a doctor's note indicating that I had had surgery before the license could be updated. And I told her I refused to surrender my North Dakota license; I do not want an Alabama license today; and I will see you in court. And I left. And I literally ran to my car because the men on the other side of me were leaving at the same time and I thought they were going to beat me up in the parking lot.

Q. Was it your understanding that you could have obtained an Alabama license at that time except it would have had an M sex designation on it?

47 1 I was unable to obtain an Alabama Α. 2 license because I wasn't able to verify that 3 the information provided was accurate. 4 But you could have obtained a 5 driver's license with that sex designation on 6 there at that time, correct? I could have obtained an Alabama 7 8 driver's license if I lied and misrepresented 9 who I was as a person. 10 Q. Were there any other statements 11 made to you about why you didn't satisfy the 12 policy for changing sex other than what you've 13 stated? 14 Α. There are -- no other statements were made. 15 So did you, in fact, threaten to 16 Q. 17 file a lawsuit at that time? 18 I didn't threaten. I stated that I 19 would see her in court. 20 And what do you mean by that? 0. That I would file a lawsuit. 21 Α. 22 Did you, in fact, file a lawsuit? Q. 23 I did, in fact, call the ACLU as Α.

58 1 the questions that I just asked you, is your 2 status as a transgender individual something 3 that is not publicly known? 4 Α. No, it is not a secret. 5 Is your status as a transgender 0. 6 individual something that is confidential? 7 Depends on the circumstances. 8 What would be some circumstances in Q. 9 which it would be? 10 A. On a dark country road with a police officer who pulls me over it would be a 11 confidential thing. When I'm getting carded 12 for an alcoholic beverage it would be a 13 14 confidential thing. And in any other 15 situation where I deem myself to be at 16 significant risk if that information was 17 disclosed it is a confidential thing. 18 Are you not -- are you maintaining Q. 19 that such a disclosure would place you at 20 risk? 21 I am indicating that. Α. 22 Do you not publicly across all of 0. 23 the internet floor that we have identified

59 1 disclose your status as a transgender 2 individual? 3 Can you repeat the question? 4 Do you not already publicly 5 disclose your status as a transgender 6 individual through various social media? I do. But the likelihood of a 7 8 random police officer or a random bartender 9 knowing that information when they interact 10 with me is very low. Q. Aren't you disclosing your 11 transgender status to a much larger volume of 12 13 people by means of social media than by means 14 of any government identification documents? In the forms in which I disclose 15 that information I control the narrative. 16 17 if I ever felt unsafe, I could pull the 18 Facebook, I could pull the website, I could 19 pull the Twitter, I could pull the Instagram. 20 In the situation of a driver's license I 21 cannot control that narrative. 22 But, of course, you don't have an 0. 23 Alabama driver's license?

60 1 I do not. Α. 2 And your driver's license 3 identifies you as a female, does it not? 4 Α. It does. 5 So you are not disclosing any Q. 6 transgender status by means of any driver's license you currently possess, do you? 7 8 Not at this time. Α. 9 Don't you voluntarily accept any 0. 10 risk created by disclosing your transgender status when you disclose it through social 11 12 media? 13 Α. Yes. 14 Can you get an Alabama driver's license without having to get medical 15 treatment you don't want? 16 17 Not at this time, no. Α. 18 Why not? 0. 19 Because at this time I have not Α. 20 made the determination that I want to have the 21 procedures the state requires of me. Will the State of Alabama 22 0. 23 physically issue you an Alabama driver's

64 1 used your passport as your ID to vote? 2 Α. I typically use my passport, yes. 3 If you were to have an Alabama Q. 4 license that designated your sex as male, how 5 would you typically carry that license with 6 you? Well, I wouldn't carry it because I 7 8 wouldn't accept it. But if I had to, if I was 9 compelled to, then I would carry it in my wallet and use it with hesitation. 10 11 Let's turn to your North Dakota Q. 12 license. How do you carry your North Dakota 13 license? 14 Α. With pride. Okay. Where physically do you 15 carry your North Dakota license? 16 17 Α. In my wallet. 18 And where do you keep your wallet? 19 In my bag or at my side. My wallet Α. 20 is the kind that can be carried as a purse. 21 So you typically carry your North 22 Dakota license concealed within your wallet? 23 As do pretty much everybody. Α.

		69
1	experiences, mostly because they didn't	
2	understand why some LGBT person was talking to	
3	them I'm assuming. They definitely didn't act	
4	weird around other people, so I just said	
5	thank you for coming today, we really	
6	appreciate your show of support and for	
7	keeping us safe.	
8	Q. So they were there to provide	
9	security?	
10	A. That is correct.	
11	Q. So you thanked them for allowing	
12	you to	
13	A. Be safe.	
14	Q. And you said on October 17th of	
15	2018 you had an officer come to your	
16	residence?	
17	A. Yes.	
18	Q. And why was that?	
19	A. Because someone has been stalking	
20	me.	
21	Q. Did you call 911 in connection with	
22	that incident?	
23	A. I called dispatch directly and had	

79 1 get a driver's license in Alabama and because 2 I've lived here before and had a license I 3 already had a number and I was already in the 4 And my old license had M on it 5 obviously and they said that because of that 6 they couldn't update it, even though my 7 passport has an F on it, even though with the 8 Social Security Administration I have an F on 9 their records, even though my North Dakota 10 license has an F on it. I can't -- according 11 to the State of Alabama, I'm a man. 12 And let me just tell you how this 13 went down. I went in. She was using the 14 right pronouns of me, and then she saw it and 15 then she started using the wrong ones. then she corrected herself and then proceeded 16 17 to keep using the wrong ones. And it was just 18 totally offensive. 19 They called Montgomery and they 20 tried to like figure out what to do. 21 Basically I have to have surgery. Well, I 22 can't afford that. In fact, I told them if I 23 had sixty thousand dollars I would go get it